

December 18, 2006

Update for AIDS Drug Assistance Program (9 AAC 6, Article 4)

The Department has posted on the ADAP Web Page a copy of draft rules amending Title 9, Chapter 6, Article 4, for the AIDS Drug Assistance Program (ADAP).

The draft rules add definitions, clarify the application process and notification requirements, and address changes that have occurred in the program. Many of the changes being made in rule reflect changes that have already been made in the operation of the program due to the implementation of Medicare Part D and the use of a vendor pharmacy for drug distribution.

Since ADAP is the payor of last resort for HIV-related prescription drugs for those enrolled in ADAP, the current rules are being amended to:

- Require those eligible for Medicare to apply for a Medicare drug prescription plan;
- Require those eligible for Medicare to apply for a low-income subsidy through Medicare for prescription drugs; and
- Exclude those eligible to receive a full low-income subsidy through Medicare for HIV-related prescription drugs from enrolling in ADAP.

Among the other changes to the rules, draft rules also specify:

- That individuals enrolled in ADAP, primary care providers, and case managers must notify the Department of specific changes that may affect eligibility or the Department's ability to contact the individual or primary care provider;
- The conditions for provisional enrollment;
- Requirements for distribution of prescription drugs, including the requirements for the vendor pharmacy; and
- How certain drugs that are available only on a case-by-case basis may be requested.

Stakeholders are asked to review the draft rules posted on this Web Site and to send any comments about the rulemaking to Ruthann Smejkal, Rules Analyst for the Department, by e-mail at smejkar@azdhs.gov, by phone at 602-364-3959, or by fax at 602-364-1150.